

**KUTAK ROCK LLP**

Loc Pfeiffer (VSB No. 39632)  
Kimberly A. Pierro (VSB No. 71362)  
1111 East Main Street, Suite 800  
Richmond, VA 23219-3500  
(804) 644-1700

*Counsel for Keith L. Phillips, Trustee*

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

**IN RE CALFEE & DOUGLAS, INC.,**

Case No. 10-34150-DOT

Debtor.

Chapter 7

**TRUSTEE'S MOTION TO SELL PROPERTY OF THE ESTATE**

Keith L. Phillips, (the "Trustee"), Trustee for the Bankruptcy Estate of Calfee & Douglas, Inc. (the "Debtor"), files this Motion to Sell Property of the Estate pursuant to 11 U.S.C. § 363 and Rule 6004 of the Federal Rules of Bankruptcy Procedure, and states:

**PARTIES**

1. On June 11, 2010, the Debtor filed for relief under Chapter 7 of the United States Bankruptcy Code in this Court.
2. Keith L. Phillips is the duly appointed and acting Trustee for the bankruptcy estate.

**JURISDICTION**

3. This proceeding is a core proceeding pursuant to 28 U.S.C. § 157.
4. The Court has subject matter and personal jurisdiction over all parties in interest pursuant to 11 U.S.C. § 1334.

**PROPERTY OF THE ESTATE**

5. The Debtor owns certain personal property more particularly described as (i) a 2005 Toyota Tundra with 140,000 miles (the “Toyota”) and (ii) a 2005 Chevrolet pick-up truck with 172,000 miles (the “Chevrolet” and together with the Toyota, the “Vehicles”).

6. The Property is not encumbered by any liens.

7. The Debtor estimated that the value of the Toyota is \$10,000.00 and the value of the Chevrolet is \$13,000.00.

**RELIEF REQUESTED**

8. The Trustee seeks authority to sell and convey any interest of the estate in the Toyota to Mr. Douglas, a former owner of the Debtor for \$8,000.00 and authority to sell and convey any interest of the estate in the Chevrolet to Mr. Calfee, a former owner of the Debtor for \$10,000.00 pursuant to 11 U.S.C. §363(b).

9. Based upon the trade in value of the Vehicles, their high mileage, and the lack of any costs of sale, the Trustee, in his business judgment, considers this a fair price for the Vehicles.

10. The sale of the Vehicles will result in a net financial gain for the estate, and, therefore, it is in the best interest of the estate.

11. To facilitate an expeditious sale, the Trustee requests a waiver of the 14-day stay placed on all orders authorizing the sale of property of the estate pursuant to Rule 6004(g) of the Federal Rules of Bankruptcy Procedure.

**WHEREFORE**, the Trustee requests the Court to authorize the Trustee to sell the Vehicles as set forth herein and to award any further relief the Court deems just and proper.

**KEITH L. PHILLIPS, TRUSTEE**

By: /s/ Kimberly A. Pierro  
Counsel

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**CERTIFICATE OF SERVICE**

Pursuant to the Local Rules of this Court, I certify under penalty of perjury that a copy of the foregoing was served via ECF notification or via first class mail on September 17, 2010 to all necessary parties as follows:

David K. Spiro, Esq.  
Hirschler Fleischer  
Post Office Box 500  
Richmond, VA 23218-0500

Calfee & Douglas, Inc  
P.O. Box 764  
Toano, VA 23168

Robert Van Arsdale, Esq.  
Office U.S. Trustee  
701 E. Broad Street  
Richmond, VA 23219

/s/ Kimberly A. Pierro  
Counsel